(LIST YEAR.) THE (No. 2556.)

MARYLAND GAZETTE.

THURSDAY, JANUARY 7, 1796.

BRUSSELS, *October* 27.

THE army of the Sambre and the Meuſe, under general Jourdan, continues its retreat. One part has already croſſed the Rhine, near Coblentz, Bonn and Andernach, while the other moves towards Duſſeldorf, where it is ſuppoſed it will attempt to maintain its ſtation. That village is in the beſt ſtate of defence. The Auſtrian army occupies now the town of Dentz, whoſe inhabitants were diſarmed on the paſſage of the French, becauſe they appeared diſpoſed to ſecond the enemy.

At the date of our laſt advices, Jourdan was at Mulheim, oppoſite Cologne with his etat-major; but it is thought, this poſt, which is not tenable, will be evacuated. The head quarters of the army of the Sambre and Meuſe are already removed acroſs the Rhine, and are now at Bonn. All the communications of the Rhine are cut off, except in the part of the Lower Rhine, near Duſſeldorf. The artillery and baggage are recroſſing the Rhine. The French have taken care to ſecure all the boats from falling into the hands of the enemy.

The Auſtrians have alſo left their old poſition in the environs of Neuwied, Villander and Ehrenbreitſtein. The works thrown up by the republicans for reducing that fortreſs are already demoliſhed: The peaſants in the environs furniſhed pioneers to haſten the deſtruction.

According to the movements of the Auſtrian army, it appeared to be their deſign to croſs the Rhine and carry the theatre of war to the left bank of that river, but every defenſive meaſure is taken to repel that project. There is reaſon to hope they will not venture an enterpriſe that muſt be attended with the moſt fatal conſequences to their army. The intrenchments and batteries on the left banks were haſtily ſupplied with artillery and troops.

It appears that the troops of the garriſons in this place will march to the Rhine, where they will be more wanted in the preſent ſtate of things. Yeſterday a battalion of grenadiers moved for this new deſtination.

Oct. 29. The Auſtrians are at Dentz and Mulheim, and advancing to attack Jourdan. The peaſants on the right banks of the Rhine are armed againſt the French, and a body of 12 or 14,000 of this irregular militia is employed by the Auſtrians.—There ſeems to be forming about that city a little Vendee, which has taken poſſeſſion of the foreſt of Soignes. Six thouſand men have marched againſt the place.

MARSEILLES, *October* 22.

All is quiet here. The calumnies againſt this place are anſwered by tranquillity and ſubmiſſion to the conſtituted authorities. Moſt of the troops have left this city for the army in Italy.

PARIS, *November* 5.

This day the death of Gillet, repreſentative of the people, was announced to the council of five hundred. His diſeaſe was the conſequence of the fatigues he ſuffered when with the army of the Sambre and Meuſe.

A member of the council, departed from La Vendee department, propoſed a commiſſion to inquire into the means of terminating the civil war that laid waſte that part of the republic. "Phillippeaux, ſaid he, told the truth, and he was aſſaſſinated. We have a conſtitution—let us maintain it and Charette is loſt. He is not a Proteus, nor could he be ſometimes feeble and at other times powerful, but for the charges in the government, which is now an exterminator, how feeble: One month warlike, the next pacific." He propoſed vigorous meaſures to be ſteadily purſued and the eſtabliſhment of a commiſſion.

It was, however, remarked that the inſtallation of the directory rendered this meaſure unneceſſary.

The council of ancients received letters from Merlin, Lacroix and Carnot, announcing the acceptance of their appointment.

Carnot expreſſed himſelf thus: "I accept my nomination to the executive directory, with a fear inſpired by my feeble talents, but with a confidence derived from my zeal and habits of labour. I ſwear my love to the conſtitution, and my unlimited devotion to the proſperity of my country and the maintenance of the republic."

Merlin announced his nomination as miniſter of juſtice. "Were I to conſult, ſaid he, my own inclination, I ſhould prefer the duty of a member of the legiſlative body, to which I have been called by the confidence of my fellow-citizens; but I perceive that by accepting the office to which the directory has juſt appointed me, I may be able to ſerve the republic in a laborious ſtation; therefore I do not heſitate to accept it, and to this conſideration only I ſacrifice the honour of a ſeat in the council of ancients."

Charles Lacroix informed the council, that although he aſſumed the burden of the office of miniſter for foreign affairs, above his ability, he then thought it his duty to accept it.

On counting votes for a perſon to fill the place of Lanoix as ſecretary, Fronchet and Vernier had each fifty-five votes—Fronchet, being the eldeſt, was appointed.

LONDON, *October* 16.

A French nobleman, who formerly enjoyed a landed eſtate of £. 30,000 ſterling per annum, now keeps a turner's ſhop in the vicinity of Golden Square; where his preſent conduct proves him to have been truly worthy of his paſt affluence.

The Columbia, Maly, of Philadelphia, from the Cape of Good Hope to Amſterdam, out three months, paſſed Dover on the 12th inſtant. On September 27, in lat. 37 N. long. 15½ W. ſpoke the Union of Liverpool, to Madeira and the Weſt-Indies, all well.

The above ſhip left the Cape of Good Hope on the 8th of July, which is a week later than any other veſſel that has hitherto reached England, and brings letters from Symond's Bay, dated the 7th. She ſailed from Amſterdam the latter end of April, with diſpatches from Holland to the Cape, and other Dutch ſettlements; of which circumſtance admiral Elphinſtone being previouſly appriſed, ordered her to be ſearched, when diſpatches were of courſe diſcovered, and he took a copy, and ſent the original to the Dutch governor at the Cape.

By the letters ſhe brings we learn, that the Dutch had deſerted Symond's Bay; and that the Engliſh ſailors had plundered the houſes and gardens of the ſettlers, for which offence the admiral had called the ringleaders to account, and had puniſhed them accordingly. One of the letters which we have ſeen ſtates, that the fleet was deſtined for the Eaſt-Indies; that it was well watered for two or three months; and that they were waiting in Symond's Bay, for reinforcements from St. Helen's and Europe.

JAMAICA, *November* 21.

A detachment conſiſting of 70 infantry and 40 cavalry, marched on Wedneſday ſe'nnight from the pariſh of Vere, to join the forces acting againſt the Trelawny maroons.

By the Louiſa, Guineaman, we learn, that, immediately upon the arrival of our troops at the windward iſlands, part of them were ſent for the relief of St. Vincent's, in which they ſucceeded, having retaken the whole of the iſland from the French. A flag of truce which had been ſent to Guadaloupe, returned to Dominica a day or two previous to the Louiſa leaving that iſland, and brought information of the arrival of a French frigate at Point a Petre, with 300 artillery on board from France.

KINGSTON, *November* 24.

The Arethuſa on her paſſage fell in with the Vanguard of 74 guns, which veſſel, with two others were cruiſing to windward of Barbadoes in queſt of three French frigates who had got out of Guadaloupe in ſpite of the ſtate of blockade in which that iſland is.—We have 14 veſſels of war now cruiſing around it, but all their watchfulneſs could not prevent theſe frigates from getting out, and committing depredations on the trade of our iſlands to windward. One privateer that has done a good deal of damage in that quarter, is taken.

A very remarkable circumſtance happened about two weeks ago to a ſeaman belonging to his majeſty's ſhip Intrepid. The poor fellow who was a Portugueſe, and could ſcarcely ſpeak Engliſh, having been much teaſed by the ſeamen, conceived the idea of eſcaping, as he was a very expert ſwimmer, although the ſhip was about a mile from the ſhore. At midnight he let himſelf down at the head of the ſhip and narrowly eſcaped being ſhot, for the centinel hearing a noiſe in the water fired; he proceeded, however, unhurt till he had juſt reached the ſhore, when a large ſhark ſeized him by the ſide, tore a large piece of his fleſh, and broke two of his ribs. In this diſtreſſed ſituation he with the greateſt difficulty got aſhore at Port Royal; when medical aſſiſtance was immediately afforded him and he is now in a fair way of recovery.

Extract of a letter from an officer of the Kingſton detachment, dated Chatſworth, 10th inſt.

"I have this inſtant received the following note from Joſeph Hardy, commiſſary at Boring Vale: "Mr. Hunter is this moment from Dromilly. He ſays one of the maroons was taken yeſterday, by a watchman, belonging to Mr. Tharp, digging yams. The fellow took him by ſurpriſe and brought him tied to the governor. After his examination he promiſed he would ſhew a party of fifteen, beſides ſeveral women and children. A party of your grenadiers entered the woods with the maroon tied. They [meaning the maroons] are ſurrounded by this.

"The party of grenadiers muſt be the firſt and a part of the ſecond from Dromilly, where the governor is."

Another letter received from a gentleman of reſpectability, corroborates the above circumſtance, and likewiſe mentions, that ſome time previous to his writing, the body of colonel Fitch had been found, with his bowels cut out and his head placed in the cavity. In the defile where colonel Fitch unfortunately fell, the maroons had nailed two heads on trees oppoſite each other, with their mouths kept open by pieces of wood placed in them.

NEWPORT, (R. I.) *December* 1.

The late accounts of increaſing population in the ſtate of Kentucky, does not exceed that of the diſtrict of Maine. A few years ago this province was an uncultivated wilderneſs—but now thickly ſettled in every part next the ſea, and many miles up the interior parts.

A coach road is now completed from Raymondtown, through Otisfield, Waterford and Oxford, to Sudbury canal. The elegant ſeat of general Knox, ſtands foremoſt among the ornamental buildings, and the reſidence of that diſtinguiſhed character greatly contributed to the ſudden riſe of lands in the Waldo Patten, and on George's river.

NEW-YORK, *December* 26.

DECEPTION!

Extract of a letter from Newbern (N. C.) dated December 8, *received by a reſpectable merchant in this city.*

"A falſe ſhipment appears to have lately been made in Philadelphia.——A veſſel arrived here a few days ago; the cargo conſigned to Mr. Joſeph Taggart.—The invoice amounted to a conſiderable ſum; but upon examination, the whole appeared to be a fraud. The hogſheads were filled with water, which ſhould have contained ſomething more valuable; the boxes, ſuppoſed to contain linen, were filled with ſticks; and the bales, which was thought to contain cloth and blankets, proved to be ſhavings. The pilot's coming on board, before the captain expected, prevented any miſchief.

——————.The above was inſured in New-York, as being on board the brig Betſey, captain Doggate, who appears to be much deranged."

December 29.

Attack on the Cape of Good Hope.

OFFICIAL.

London, November 2. A letter from vice-admiral Elphinſtone, dated on board the Monarch, Symond's Bay, Cape of Good Hope, Auguſt 12, informs, that on the 7th Auguſt, he attacked the ſtrong Dutch poſt at Muyſenburg, with 1000 ſeamen, under the command of captains Hardy and Spranger, and carried it after a few minutes ſmart firing, the Dutch abandoning their camp, taking with them only two field pieces. The following ſhips were captured in Symond's Bay, Boetzlaar, 978 tuns, Bonifacius, 448, Certruyday, 666, Vertrouven, 890, Louiſa, 540 tuns.

PHILADELPHIA, *December* 28.

It is with ſincere ſatisfaction that we congratulate our fellow-citizens on the proſpect, which our advices from France (to the 5th of November inclusive) afford of the ſpeedy reſtoration of peace to that country, and to the reſt of Europe.

The new government of France has gone into operation, and there is every reaſon to ſuppoſe that the happieſt effects will reſult from its meaſures not only to that nation, but to all the world. The ſolemnities which have been obſerved in the inſtalment of the executive directory, demonſtrate the reſpect which a wiſe and well diſpoſed community will ever entertain for thoſe whom they intruſt with the public authority, and is a happy augury, that liberty and law will reward the patriotiſm, and protect the property of regenerated France.

The five perſons choſen to the executive directory, are,

REVEILLERE—LEPAUX.
LE TOURNEUR De la Manche.
BARRAS.
REUBELL.
CARNOT.—Who was choſen in the room of Sieyes, who declined.

Citizen Sieyes, as a reaſon for reſigning the appointment, as member of the executive directory, ſays, that ſtation requires a man in whom confidence is repoſed by all; ſo it ought not to be veſted in him, who, ever ſince the commencement of the revolution, has been the object of attack of all parties—all, he continues, without diſtinction.

Barrere, priſoner of ſtate, we learn by the laſt French papers, has made his eſcape.

Dec. 30. A French paper printed on Monday morning in New-York has the following paragraph:

"The French army has left Germany in great precipitation; and to the date of the laſt accounts, one part had recroſſed the Rhine."

BALTIMORE, *January* 4.

At the date of our laſt accounts from Paris, general Scherer, at the head of the army of the Eaſtern Pyrenees, had arrived at Albenga, and replaced Kellerman in the command of the army of Italy. Immediately afterwards Scherer puſhed his left wing beyond Baleſtrino and his right wing took poſſeſſion of Toriano. The Sardo Auſtrian army, afraid of being hemmed in, abandoned their intrenched camps and retreated precipitately towards Borunda.

AUTHENTIC.

Extract of a letter from Stephen Cathalan, jun. ſon of the late conſul of the United States at Marſeilles, dated at that city, the 24th of Sept. 1795.

Having mentioned the peace made between the United States and the Dey of Algiers, Mr. Cathalan adds:

"I hope then ſoon to ſee in this harbour many American veſſels with flour and other articles, which will be ſold advantageouſly here, tobacco excepted, as they have too much of this article now. I have ſold yeſterday a cargo of flour at 110 livres per barrel in ſpecie. Tobacco at this moment won't fetch 30 livres per ql. in ſpecie, Marſeilles weight."

On the 20th November laſt the right hon. Guy lord Dorcheſter, the governor general of Lower Canada, went in ſtate to the legiſlative council, and being ſeated on the throne, &c. the uſher of the black rod was ordered to notice the commons to attend—after which he made his ſpeech to both houſes, in which he informed, that the deficiency of harveſt in Britain, and the failure of crops in Canada, had induced him to prohibit the exportation of wheat, flour, peas, oats, barley, Indian corn, and biſcuit, until December 10, and recommended meaſures to prevent the poor of Canada from being diſtreſſed.

It is queried, whether the European ſcarcity, and the Canadian failure of crops, will not diſtreſs the poor of the United States? whether the preſent prices will not drain us of bread by ſpring? and whether congreſs ſhould not inquire into it?

The ſchooner Harriot, capt. Luce, arrived at Alexandria, on Wedneſday laſt from Martinique, brings intelligence, that on the 10th ult. a brig arrived there, which had been diſpatched from the Britiſh fleet for the Weſt-Indies, on the 13th of November, then three days at ſea. That this fleet was ſtated to conſiſt of 9 ſhips of the line and 18 frigates, and to have 32,000 troops on board—That 3000 negroes, furniſhed by the different iſlands, were diſpatched from Martinique to Barbadoes on the 10th ult. to join the fleet and act as pioneers on an expedition ſaid to be againſt Guadaloupe and St. Lucia, for which great preparations were making both in Barbadoes and Martinique—That a party of French, ſaid to be about 180 men, (from St. Lucia) with 500 ſtand of arms, &c. had effected a landing on the eaſt end of Martinique, but were immediately routed with the loſs of all their military apparatus.

From the Eclipſe, a Rouen paper, of Nov. 6.

MENTABAUR, October 19.

The troops under lieutenant general de Weruneck arrived the day before yeſterday, and yeſterday followed the advanced guards towards Neuwied. On the 17th, this guard puſhed the French in their precipitate retreat and took 130 ammunition carriages, and 300 priſoners.

Journal of Francfort.

BORDERS OF THE MEIN, October 21.

The troops of general Erbach and de Lilien are encamped on the left ſide of the Rhine from Houbhoen to Ruſſelheim and thence to Naunheim. They form a body of reſerve. The infantry is compoſed principally of the troops of the empire.

TO BE SOLD,

A LARGE and commodious three ſtory brick DWELLING-HOUSE in this city, an excellent ſtand for the mercantile buſineſs, and well calculated for a family.—Inquire of the PRINTERS.

Annapolis. 1 R. Grammar

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleaſed to nominate and appoint us, referrees, to ſettle and adjuſt the proportions of ſtock of the United States to be transferred to the Patuxent Aſſociators, or their legal repreſentatives, by the truſtee of this ſtate, in virtue of a reſolution of the laſt general aſſembly, Notice is hereby given, that we ſhall meet at this place on the firſt Wedneſday in February next, for the purpoſes of adjuſting the proportions agreeable to ſaid reſolution, and all perſons having claims are deſired to exhibit them, on or before that day, to us.

J. THOMAS,
R. YOUNG,
G. BISCOE.

Nottingham, December 28, 1795.

Patowmack Company.

THE ſtockholders on the new ſubſcription to the Patowmack Company, are required to pay to *William Harriſſorne*, treaſurer, on or before the firſt day of March next, ten pounds per cent. on the amount of each ſhare by them held.

JOHN FITZGERALD, Preſident,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR,
} Directors.

Alexandria, Dec. 22, 1795.

BY virtue of the powers veſted in us by an act of the General Aſſembly of the State of Maryland, entitled, An act for erecting a bridge over the eaſtern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Waſhington, on the fourth Monday in February next, for receiving and entering ſubſcriptions for the ſaid undertaking. 1 R. Thruſton

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

N. B. The act is publiſhed in the Federal Intelligencer and Baltimore Daily Gazette.

To the PUBLIC.

THE ſubſcriber propoſes teaching young ladies the GUITAR, both piano and common, alſo gentlemen the VIOLIN; from his perfect knowledge of both inſtruments he flatters himſelf to merit the approbation of the public and give general ſatisfaction. Thoſe who have a turn for muſic may be taught to play twelve tunes the firſt quarter, alſo to tune their own inſtruments. The ſubſcriber compoſes for his pupils little ſongs and tunes ſuited to their capacities. Terms are, ſix dollars entrance, and four dollars a month. Inſtruments and ſtrings may be had of Mr. CARR, in Baltimore, correſpondent of the ſubſcriber's.

JOHN J. ABERCROMBY.

N. B. Mould and dipped tallow CANDLES, of the beſt quality, equal in looks to white wax, manufactured by A. TRENET, at the houſe of the ſubſcriber, oppoſite the Printing-Office, mould at 1/10½ per pound, dipped 2od. ditto. 1 10 7/8

Annapolis, January 4, 1796.

WHEREAS CHARLES COWLEY, late of this county, did, on or about the 30th day of January laſt, obtain from us two bonds for payment of £. 300 and £. 350 current money, being for the conſideration of part of two tracts or parcels of land, BIRKHEAD'S ADVENTURE and HARRISON'S ENLARGEMENT, to which a title cannot be had, therefore we hereby caution all perſons from taking an aſſignment of ſaid bonds, or either of them, as they will not be paid. 1 10 16/10½

CHARLES DRURY,
WILLIAM DRURY.

Anne-Arundel county, January 1, 1796.

THE creditors of STEPHEN STEWARD, junior, prior to his obtaining an act of inſolvency, are deſired to take notice, that the ſubſcriber, on the third Monday in February next, at the houſe of Mr. WHARFE, in the city of Annapolis, will proceed to pay on the claims exhibited in the chancery-office, in proportion to their reſpective amounts, all monies which he hath received as truſtee of ſaid STEWARD.

BENJAMIN HARRISON, Truſtee of S. STEWARD, jun. an inſolvent debtor.

Annapolis, January 4, 1796. 1 Pg 9/4½

NOTICE.

ALL perſons having claims againſt the eſtate of STEPHEN STEWARD, ſenior, late of Anne-Arundel county, deceaſed, whether on judgment, bond, bill, note, or open account, are requeſted to produce them, legally authenticated, to the ſubſcriber, or to PHILIP B. KEY, of Annapolis, on or before the firſt day of June next, in order for payment, ſo far as aſſets have come to the ſubſcriber's hands; thoſe who neglect to bring in their claims will be excluded from any ſhare of the diſtribution then to be made.

BENJAMIN HARRISON, Adminiſtrator de bonis non of S. STEWARD, jun.

Annapolis, January 3, 1796. 1 10 13/1½

ALL perſons indebted to the eſtate of HENRY BALDWIN, late of Anne-Arundel county, deceaſed, either by bond, note, or open account, are requeſted to make payments by the twentieth day of February next, or ſuits will be brought againſt them without reſpect, and thoſe having claims are requeſted to make them known by that day. 1 10 7/6

MARIA GAMBRILL, Adminiſtratrix.

TAKEN up by the ſubſcriber, near Pig Point, in Anne-Arundel county, as a ſtray, a dark bay MARE, about twelve and an half hands high, is branded on the near ſide thus O, ſhe trots and gallops. The owner may have her by proving property and paying charges. 1 10 7/6

CHARLES DRURY.

December 30, 1795.

TAKEN up as a ſtray, by JOHN DAVIDSON, living at BELL'S plantation, on the Head of South river, in Anne-Arundel county, a ſmall black STEER, with ſome white upon his back, marked with a ſwallow fork in each ear, and ſuppoſed to be about four years old. The owner may have him again on proving property and paying charges. 1 10 7/6

WHEREAS it has been the common practice of boatmen, who put into Poplar Iſland harbour, to go aſhore a gunning, and cutting timber off Cobler's Neck, without leave or licence, this is therefore to forewarn any boatman whatſoever from treſpaſſing upon ſaid Iſland or Neck, either by hunting, fowling, or cutting timber, or in any other manner whatſoever, otherwiſe the treſpaſſers ſhall be dealt with according to law. 2

WILLIAM SEARS.

Poplar Iſland, December 23, 1795.

BY HIS EXCELLENCY
JOHN HOSKINS STONE,
GOVERNOR OF MARYLAND,
A PROCLAMATION.

WHEREAS it has been repreſented to the executive that Cokeſbury college, in the town of Abington, in Harford county, was, on the fourth day of December, in the year of our Lord one thouſand ſeven hundred and ninety-five, conſumed by fire, and that ſome malicious perſons are ſuppoſed to have wilfully ſet fire to the ſame, and whereas it is of the greateſt importance to ſociety, that the perpetrators of ſuch a crime ſhould be diſcovered and brought to juſtice, I have therefore thought proper, by and with the advice and conſent of the council, to iſſue this my proclamation, thereby offering a reward of TWO HUNDRED DOLLARS for the diſcovery of the perſon or perſons by whom the ſaid offence may have been committed, provided, that the ſaid perſon or perſons be brought to juſtice therefor.

Given in council, at the city of Annapolis, under the ſeal of the ſtate of Maryland, this eleventh day of December, in the year of our Lord one thouſand ſeven hundred and ninety-five.

J. H. STONE.

By his excellency's command,
NINIAN PINKNEY, Secretary. 4

GOD SAVE THE STATE.

Purſuant to an order of the orphans court of Anne-Arundel county, will be SOLD, at PUBLIC SALE, for READY MONEY, on Saturday the 16th of January next, at the ſubſcriber's dwelling, in this city,

SUNDRY articles of HOUSEHOLD GOODS, conſiſting of beds, chairs, kitchen furniture, &c. belonging to the eſtate of EDWARD HOLLAND, deceaſed.

All perſons indebted to the ſaid eſtate are required to make immediate payments, and thoſe having claims to make them known, that they may receive their equal dividend of the ſaid eſtate.

ISAAC HOLLAND, Adminiſtrator.

Annapolis, December 30, 1795. 2

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, conſiſting of three men and two women. Six months credit will be given.

2 JOHN M. GANTT, Truſtee.

FIFTY DOLLARS REWARD.

RAN AWAY from the ſubſcriber's plantation, at Nanjemoy, in Charles county, on the 20th inſt. a dark coloured mulatto lad, about twenty years old, ſlender made, and very likely, named BILL, or WILL, and commonly paſſes amongſt thoſe who know him by the nickname of M'DANIEL, has a ſmall ſcar on the upper part of his forehead, which may be diſcovered on cloſe examination, dreſſes himſelf remarkably neat, has a variety of good cloathing. This lad is well known to gentlemen of the turf, having rode for ſeveral purſes in Virginia and Maryland. He ſtole and carried off with him a ſorrel horſe, about fourteen hands high, with a ſtar in his forehead, and branded on the near ſhoulder with the letter B. There is ſome reaſon to believe he will attempt to get into Kent county, in the Delaware ſtate, and paſs himſelf as a free man; FORTY DOLLARS ſhall be paid for the boy, and TEN for the horſe, if ſecured ſo that I get them again.

2 JOHN THOMAS.

Maryland Dec. 24, 1795.

Citizen O'DUHIGG,

RESPECTFULLY informs the public, that he purpoſes to return to Annapolis, where he means to open a DANCING SCHOOL, the firſt Monday in January, at the houſe of Mr. MARIE, and ſolicits the patronage of the ladies and gentlemen on the occaſion.

December 24, 1795. 3 X

NOTICE is hereby given, that I intend to apply to the next Saint-Mary's county court for a commiſſion to prove the bounds and lines of three tracts of land, lying in Saint-Mary's county, called CHANCE, LINSTEAD and DISCOVERY, agreeable to the act of aſſembly in ſuch caſes made and provided.

3 ZACHARIAH MATTINGLY.

NOTICE.

THE ſubſcriber intends to apply to the court of Charles county, at their March term next, for a commiſſion to mark and bound his land called LINSAY'S SURVEY, lying in Charles county, agreeably to the act for marking and bounding land.

3 JOHN BRENT.

Charles county, December 22, 1795.

THE ſubſcriber, being authoriſed by Mr. KILTY late clerk of the Council, to receive, for his own uſe, all fees due for the iſſuing of militia commiſſion prior to the twenty ſecond of June laſt, begs leave reſpectfully to remind thoſe officers who have not paid the ſame, that ſmall as the fee is, the aggregate is an object with him, and that he will be very thankful to thoſe who ſhall be conſiderate enough to take ſome convenient method of forwarding to him, at Annapolis, the ſums due from them reſpectively.

3 JOSIAS W. KING.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the regiſter of the land-office for the weſtern ſhore cauſe ſo much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be publiſhed for ſix weeks ſucceſſively, before the firſt day of April next, in the Annapolis, Eaſton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news papers.

By order,
W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in caſe any warrant for ſurveying or reſurveying land hath iſſued or ſhall iſſue, and the ſame hath been or ſhall be executed by a deputy of the ſurveyor, authoriſed to execute the ſame, and before a certificate of the ſurvey or reſurvey ſhall be made out and ſigned by the ſaid ſurveyor he ſhall die, the ſaid deputy ſhall have power, within ſix months after ſuch death, to make out and ſign a plot and ſpecial certificate, ſtating the circumſtances of the caſe, with an affidavit of the truth thereof annexed or endorſed, and the ſaid certificate ſhall be as good and effectual as if made out and ſigned by the ſaid ſurveyor, and if any amendment or correction of the ſaid plot or certificate ſhall be neceſſary, the amendment or correction ſhall be made by the ſaid deputy, or ſuch other perſon as the chancellor, or the judge of the land-office on the eaſtern ſhore, as the caſe may be, ſhall think proper.

And be it enacted, That in caſe any certificate hath been or ſhall be made out by any county ſurveyor, authoriſed to make the ſame, under a warrant of ſurvey or reſurvey, and the ſame hath been or ſhall be duly returned, and an order of the chancellor, or judge of the land-office of the eaſtern ſhore, hath been or ſhall be made for correcting the ſame, and the ſurveyor hath reſigned or ſhall reſign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eaſtern ſhore reſpectively, on application of the party, and at his own diſcretion, may order the correction to be made by the ſaid ſurveyor, and the corrected certificate made out by the ſaid ſurveyor ſhall be as good and effectual as if he had not reſigned, and he ſhall be entitled to ſuch fees as to the chancellor, or judge of the land-office for the eaſtern ſhore, ſhall, under all circumſtances, appear reaſonable, not exceeding the fees eſtabliſhed by law.

And be it enacted, That hereafter no original certificate of ſurvey or reſurvey under a warrant ſhall be received in the land-office, unleſs the ſame be paſſed by the examiner-general, and returned to the ſaid office before the firſt day of July next, or within eighteen months from the date of the warrant, and in caſe any order hath been made for the correction of any certificate of ſurvey or reſurvey under a warrant, the corrected certificate ſhall not be received into the land-office, unleſs paſſed by the examiner (if neceſſary) and returned before the firſt day of January, ſeventeen hundred and ninety-ſeven, and in caſe any order ſhall hereafter be made for the correction of any certificate as aforeſaid, the corrected certificate ſhall not be received, unleſs paſſed by the examiner (if neceſſary) and returned within nine months from the date of the order, but nothing in this act contained ſhall be ſo conſtrued as to extend the time within which a ſurvey or reſurvey under a warrant may be made.

And be it enacted, That where any certificate of ſurvey or reſurvey ſhall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eaſtern ſhore, may think proper to direct the correction of any certificate, and there is not ſufficient time for ſuch correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treaſurer, three months ſhall be allowed for the correction of ſuch certificate, and being paſſed by the examiner-general, and payment made within the ſaid three months, the ſame ſhall be valid.

And be it enacted, That no certificate of ſurvey or reſurvey ſhall be liable to a warrant of proclamation before the firſt day of June next.

And be it enacted, That in caſe any certificate of ſurvey or reſurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, ſuch ſurvey or reſurvey ſhall be liable to be affected by a proclamation warrant, by any perſon who ſhall apply for the ſame, but no proclamation warrant ſhall thereafter iſſue on any ſurvey made or hereafter to be made in this ſtate, unleſs one tenth part of the land contained in the ſaid ſurvey or reſurvey is compounded upon and paid to the treaſurer of the weſtern or eaſtern ſhore, as the caſe may be, before ſuch warrant ſhall iſſue; provided, that the perſon claiming the ſaid ſurvey or reſurvey ſhall have one day after the ſaid firſt day of June, or after the expiration of the warrant of ſuch ſurveys or reſurveys made, or hereafter to be made, as aforeſaid, for a proclamation, to pay and compound on the ſame, and no application ſhall be received by the regiſter of the land-office for the weſtern or eaſtern ſhore reſpectively, until after ſuch day of pre-emption ſhall have expired; provided, that nothing herein contained ſhall be taken or deemed to affect the right of any perſon who hath already applied for any proclamation warrant, if ſuch perſon ſhall take out the ſaid warrant on or before the firſt day of April next.

And be it enacted, That it ſhall be the duty of ſurveyors in returning certificates hereafter to expreſs the quantity and quality of the improvements contained on the land included in the ſurvey or reſurvey, and ſubject to the operation of the warrant, with his opinion of the value of the ſame, and no exception ſhall hereafter be taken to any certificate of ſurvey, or reſurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act ſhall be taken or conſtrued to affect any caſe now exiſting on caveat before the chancellor. 2

NOTICE.

THE ſubſcriber intends to apply to the next Anne-Arundel county court, for a commiſſion to mark and bound a tract of land, called LEONARD'S NECK, lying in Anne-Arundel county, as alſo to mark and bound that part of ſaid tract of land which belongs to him.

RICHARD GARDINER.

December 16, 1795. 4X

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleaſant part of this city.——Apply to the PRINTERS. 10 Annapolis.

ALL perſons indebted to the eſtate of WILLIAM THOMAS, late of St. Mary's county, deceaſed, are requeſted to make immediate payment, and thoſe having claims are deſired to bring them in, legally atteſted, that they may be ſettled.

ELIZABETH THOMAS, Executrix.

December 16, 1795. 4

JAMES WILLIAMS

Have received, by the brig TWO SISTERS, from MADEIRA,

A QUANTITY of old London particular MADEIRA WINE, of the firſt quality, for particular uſe, from three to ſeven years old when ſhipped, ſome of which has been a voyage to the Brazil. He has likewiſe a few pipes of the ſame quality wine, received about one year ſince, now in prime order for uſe, which will be ſold by the pipe, half pipe, quarter caſk, or gallon.

He has a quantity of fine SALT, ſuperfine and fine FLOUR for ſale, and purpoſes keeping a ſupply of flour.

He has a handſome COACHEE for ſale, with or without a pair of horſes. 5

December 1, 1795.

NOTICE.

ALL perſons indebted to the eſtate of Mr. WILLIAM HANSON, late of the city of Annapolis, deceaſed, are requeſted to make immediate payment, and thoſe having claims againſt the ſaid eſtate are deſired to bring them in, legally atteſted, that they may be ſettled.

BURTON WHETCROFT, Adminſtrator.

Annapolis, Nov. 17, 1795. X

RAN AWAY from the ſubſcriber, in the month of May laſt, a mulatto woman named MARY, about twenty-one years of age, ſhe took her only child with her, a handſome mulatto boy, about three years old, it is ſuppoſed ſhe is in the city of Annapolis, or the neighbourhood thereof, as ſhe has been ſeen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and paſs her for a free woman. A reward of THREE POUNDS will be given for ſecuring the ſaid woman and child, and if brought home reaſonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795. 20

WANTED,

Without Delay,

A STRONG, ſtout, ſubſtantial, and *faithfully* built BOAT, of either mulberry, cedar, or well *ſeaſoned white* oak for the frame.——The length of keel between 28 and 32 feet, the beam 12 or 13 feet, in the hold about three feet nine inches to four feet, and of a very *handſome model*.—If the craft or boat be well apparelled it would be the more agreeable, but by no means an inadmiſſible objection. Inquire of the printers. 27 March 23, 1795.

I FOREWARN all perſons againſt hunting with dog or gun on my plantation after this date, as they may expect to be dealt by agreeably to law.

ABSALOM RIDGELY.

November 25, 1795. 6X

By the HOUSE of DELEGATES, December 14, 1795.

ORDERED, That the bill, entitled, An act to erect a company, as a body corporate, for the purpoſe of cutting and making a canal between the bay of Cheſapeake and the river Delaware, be publiſhed in the Maryland Gazette, Eaſton, George-town, Frederick-town and two Baltimore-town news-papers, the Waſhington Spy, and Dunlap and Claypoole and Bache's Philadelphia news-papers, for three weeks ſucceſſively, with the yeas and nays on the queſtion for referring ſaid bill to the next ſeſſion of aſſembly.

On motion, the queſtion was put, That the further conſideration of the bill to erect a company, as a body corporate, for the purpoſe of cutting and making a canal between the bay of Cheſapeake and the river Delaware, be referred to the next ſeſſion of aſſembly? The yeas and nays being required, appeared as follow:

AFFIRMATIVE.

Meſſieurs Hopewell, Neale, Pinkney, J. Worthington, Ridout, T. Worthington, Ridgely, Ridgely, of Wm. Merryman, Hollingſworth, Gilpin, R. Bond, W. Bowie, T. Bowie, Quynn, Key, Dennis, Whittington, Corbin, Baer, Brother, Beatty, Shriver, J. Bond, Jarrett, Montgomery, M'Comas, Winchester, M'Mechen, Ringgold, Barnes, Brooke, Burgeſs, Oneale, J. Johnſon, Lynn, Creſap, Beall. 38.

NEGATIVE.

Meſſieurs W. Thomas, Spencer, Lloyd, Bartoll, Hall, Mackall, Brome, Horrell, Cheſley, Parnham, Digges, Roberts, Martin, Sherwood, Carroll, Nutter, Hyland, Steele, Robertſon, Ward, O'Bryon, Brown, C. Frazier, Robins, Driver, Mitchell, Clarke, Reintzel. 28.

So it was reſolved in the affirmative.

True extract from the minutes of the Houſe of Delegates. By order,

W. HARWOOD, Clk.

An ACT to erect a company, as a body corporate, for the purpoſe of cutting and making a canal between the bay of Cheſapeake and the river Delaware.

WHEREAS the opening of the communication between the bay of Cheſapeake and the river Delaware, by means of a canal, will be attended with very beneficial effects to thoſe parts of the ſtate of Maryland that lie on the bay of Cheſapeake, and on the waters that empty themſelves into the ſaid bay, and many perſons are willing to ſubſcribe large ſums of money to effect ſo uſeful a work, and it being juſt and proper that they, their heirs and aſſigns, ſhould be empowered to receive reaſonable tolls for ever as a compenſation for the money advanced by them in carrying the work into execution, and the riſk they incur,

II. *Be it enacted, by the general aſſembly of Maryland*, That it ſhall be lawful to open books for receiving and entering ſubſcriptions to the amount of ——— dollars, in ſhares of ——— dollars each ſhare, for the cutting ſaid canal, and perfecting the navigation thereof, under the management of ——— at Elkton, ——— at Cheſter-town, ——— at Eaſton, ——— at Vienna, and under the management of ſuch perſons, and at ſuch places, in Delaware and Pennſylvania, as ſhall be appointed by acts of the legiſlatures of thoſe ſtates; that the ſaid books ſhall be opened on the ——— day of ——— and ſhall continue open for this purpoſe until the ——— day of ———; and on the ——— day of ——— there ſhall be a general meeting of the ſubſcribers at the town of ———, of which meeting notice ſhall be given by the ſaid managers, or any four of them, in the Maryland, Delaware and Pennſylvania news-papers, at leaſt one month before the ſaid meeting; provided, that if the ſame time of receiving ſubſcriptions, and of meeting, ſhould not be appointed by all the ſaid ſtates, then there ſhall be a meeting of the ſubſcribers at the time by them appointed, at the place aforeſaid, notice whereof to be given as aforeſaid, and the ſubſcriptions made at the times and places appointed by Delaware and Pennſylvania ſhall then be received, and ſuch meeting may and ſhall be continued from day to day till the buſineſs is finiſhed; and the acting managers, at the time and place aforeſaid, ſhall lay before ſuch of the ſubſcribers as ſhall meet according to the ſaid notice, the books by them reſpectively kept, containing the ſtate of the ſaid ſubſcriptions, and if one half of the capital ſum aforeſaid ſhould, upon examination, appear not to have been ſubſcribed, then the ſaid managers, at the ſaid meeting, are empowered to take and receive ſubſcriptions to make up the deficiency; and a juſt and true liſt of all the ſubſcribers, with the ſums ſubſcribed by each, ſhall be made out and returned by the ſaid managers, or any four or more of them, under their hands, to the general court for the eaſtern ſhore of Maryland, and the ſupreme courts of Delaware and Pennſylvania, to be there kept and recorded; and in caſe more than ——— dollars ſhall be ſubſcribed, then the ſame ſhall be reduced to that ſum by the ſaid managers, or a majority of them, by beginning at, and ſtriking off a ſhare from, the largeſt ſubſcription or ſubſcriptions, and continuing to ſtrike off a ſhare from all ſubſcriptions under the largeſt and above one ſhare, until the ſum is reduced to the capital of ——— dollars, or until a ſhare is taken from all ſubſcriptions above one ſhare, and lots ſhall be drawn between ſubſcribers of equal ſums, to determine the numbers in which ſuch ſubſcribers ſhall ſtand on a liſt to be made for ſtriking off as aforeſaid; and if the ſum ſubſcribed ſtill exceeds the capital aforeſaid, then to ſtrike off by the ſame rule, until the ſum ſubſcribed is reduced to the capital aforeſaid, or all the ſubſcriptions are reduced to one ſhare, and if there ſtill be an exceſs, then lots to be drawn to determine the ſubſcribers who are to be excluded to reduce the ſubſcriptions to the capital aforeſaid; which ſtriking off ſhall be certified in the liſt aforeſaid, and no perſon ſhall ſubſcribe leſs than one whole ſhare; provided, that unleſs ——— of ſaid capital ſhall be ſubſcribed as aforeſaid, all ſubſcriptions made in conſequence of this act ſhall be void; and in caſe ———, and leſs than the whole of ſaid capital ſhall be ſubſcribed as aforeſaid, then the preſident and directors, appointed as herein after mentioned, are hereby empowered and directed to take and receive the ſubſcriptions which ſhall be firſt offered, in whole ſhares as aforeſaid, until the deficiency ſhall be made up, a certificate of which additional ſubſcriptions ſhall be made, under the hands of the preſident and directors for the time being, or of a majority of them, and returned to, and recorded in, the courts herein before mentioned.

III. *And be it enacted*, That in caſe one half of the ſaid capital, or a greater ſum, ſhall be ſubſcribed as aforeſaid, the ſaid ſubſcribers, and their heirs and aſſigns, from the time of their ſaid firſt meeting, ſhall be, and are hereby declared to be, incorporated, by the name of The Cheſapeake and Delaware Canal

Company, and may have perpetual ſucceſſion, and ſue and be ſued as ſuch; and ſuch of the ſaid ſubſcribers as ſhall be preſent at the ſaid meeting, or a majority of them, are hereby empowered and required to elect a preſident and ——— directors for conducting the ſaid undertaking, and managing the buſineſs of the ſaid company for and during ſuch time, not exceeding ——— years, as the ſaid ſubſcribers, or a majority of them, ſhall think proper; and every ſubſcriber ſhall be allowed one vote for every ſhare not exceeding ——— ſhares, and one vote for every ——— ſhares above ten, held by him or her in the ſaid company, and any ſtockholder, by writing under his or her hand and ſeal, executed in the preſence of two witneſſes, may depute any other member or ſtockholder to vote and act as his or her proxy, at any general meeting.

IV. *And be it enacted*, That the ſaid preſident and directors ſo elected, and their ſucceſſors, or a majority of them aſſembled, ſhall have full power and authority to agree with any perſon or perſons, on behalf of the ſaid company, to cut ſuch canals, and erect ſuch locks, and perform ſuch other works, as they ſhall judge neceſſary for opening, improving and extending, the navigation between the bay of Cheſapeake and the river Delaware, and carrying on the ſame from place to place, and from time to time, and upon ſuch terms, and in ſuch manner, as they ſhall think fit, and out of the money ariſing from the ſubſcriptions and the tolls, and other aids herein after given, to pay for the ſame, and to repair and keep in order the ſaid canals, locks and other works neceſſary thereto, and to defray all incidental charges, and alſo to appoint a treaſurer, clerk, and ſuch other officers, toll-gatherers, managers and ſervants, as they ſhall judge requiſite, and to agree for and ſettle their reſpective wages or allowances, and ſettle, paſs and ſign, their accounts, and alſo to make and eſtabliſh rules of proceeding, and to tranſact all the other buſineſs and concerns of the ſaid company, in and during the intervals between the general meetings of the ſame, and they ſhall be allowed, as a ſatisfaction for their trouble therein, ſuch ſum of money as ſhall, by a general meeting of the ſubſcribers, be determined; provided always, that the treaſurer ſhall give bond, in ſuch penalty, and with ſuch ſecurity, as the ſaid preſident and directors, or a majority of them, ſhall direct, for the true and faithful diſcharge of the truſt repoſed in him, and that the allowance to be made to him for his ſervices ſhall not exceed ——— pounds in the hundred for the diſburſements by him made; and that no officer in the ſaid company ſhall have any vote in the ſettlement or paſſing his own account.

V. *And be it enacted*, That the ſaid preſident and directors, and their ſucceſſors, or a majority of them, ſhall have full power and authority, from time to time, as money ſhall be wanted, to make and ſign orders for that purpoſe, and direct at what time, and in what proportion, the proprietors ſhall advance and pay the ſums ſubſcribed, which orders ſhall be advertiſed at leaſt ——— months in the Maryland, Delaware and Pennſylvania news-papers; and they are hereby authoriſed and empowered to demand and receive of the ſeveral proprietors, from time to time, the ſums of money ſo ordered to be advanced for carrying on and executing, or repairing and keeping in order the ſaid works, until the ſums ſubſcribed ſhall be fully paid, and to order the ſaid ſums to be depoſited in the hands of the treaſurer, to be by him diſburſed and paid out as the ſaid preſident and directors, or a majority of them, ſhall order and direct; and if any of the ſaid proprietors ſhall refuſe or neglect to pay their ſaid proportions within one month after the time of payment ſo ordered and advertiſed as aforeſaid, the ſaid preſident and directors, or a majority of them, may ſell at auction, and convey to the purchaſer, the ſhare or ſhares of ſuch proprietor ſo refuſing or neglecting payment, giving at leaſt ——— months notice of the ſale in the Maryland, Delaware and Pennſylvania news-papers, and after retaining the ſum due, and charges of ſale, out of the money produced thereby, they ſhall refund and pay the overplus, if any, to the former owner, and if ſuch ſale ſhall not produce the full ſum ordered and directed to be advanced as aforeſaid, with the incidental charges, the ſaid preſident and directors, or a majority of them, may, in the name of the company, ſue for and recover the balance, by action of debt or on the caſe, and the ſaid purchaſer or purchaſers ſhall be ſubject to the ſame rules and regulations as if the ſaid ſale and conveyance had been made by the original proprietor; provided, that in caſe of the death of any ſtockholder, the neglect or refuſal of his executor, adminiſtrator or legatee, to make the payment that may be required as aforeſaid, ſhall not have the effect to forfeit immediately the ſaid ſhare or ſhares held by the ſaid ſtockholder in his lifetime, but the ſaid executor, adminiſtrator or legatee, ſhall have one whole year next after the day of the ſaid death to make the payments required.

VI. *And*, to continue the ſucceſſion of the ſaid preſident and directors, and to keep up the ſame number, *Be it enacted*, That from time to time, upon the expiration of the ſaid term for which the ſaid preſident and directors were appointed, the proprietors of the ſaid company, at the next general meeting, ſhall either continue the ſaid preſident and directors, or any of them, or chooſe others in their ſtead; and in caſe of the death, removal, reſignation or inſpacity, of the preſident, or any of the ſaid directors, may and ſhall, in manner aforeſaid, elect any other perſon or perſons to be preſident and directors, in the room of him or them ſo dying, removing or reſigning, and may, at any of their general meetings, remove the preſident, or any of the directors, and appoint others for and during the remainder of the term for which ſuch perſon or perſons were at firſt to have acted.

VII. *And be it enacted*, That every preſident and director, before he acts as ſuch, ſhall take an oath or affirmation for the due execution of his office.

VIII. *And be it enacted*, That the preſence of proprietors having ——— ſhares at the leaſt ſhall be neceſſary to conſtitute a general meeting, and that there be a general meeting of proprietors on the ——— Monday of ——— in every year, at ſuch convenient town as ſhall be from time to time appointed by the ſaid general meeting, but if a ſufficient number ſhould not attend on that day, the proprietors who do attend may adjourn ſuch meeting, from time to time, till a general meeting of proprietors ſhall be had, which may be continued from day to day until the buſineſs of the company is finiſhed, to which meeting the preſident and directors ſhall make report, and render diſtinct and juſt accounts of all their proceedings, and on finding them fairly and juſtly ſtated, the proprietors then preſent, or a majority of them, ſhall give a certificate thereof, a duplicate of which ſhall be entered on the ſaid company's books; and at ſuch yearly general meetings, after leaving in the hands of the treaſurer ſuch ſum as the proprietors, or a majority of them, ſhall judge neceſſary for repairs and contingent charges, an equal dividend of all the net profits ariſing from the tolls hereby granted ſhall be ordered and made to and among all the proprietors of the ſaid company, in proportion to their ſeveral ſhares; and upon any emergency, in the interval between the ſaid yearly meetings, the ſaid preſident, or a majority of the ſaid directors, may appoint a general meeting of the proprietors of the ſaid company, at any convenient town, giving at leaſt one month's previous notice in the Maryland, Delaware and Pennſylvania news-papers, which meeting may be adjourned and continued as aforeſaid.

IX. *And be it enacted*, That for and in conſideration of the expences the ſaid ſtockholders will be at, not only in cutting the ſaid canal, and other works for opening the ſaid navigation, but in maintaing and keeping the ſame in repair, the ſaid canal and works, with all their profits, ſhall be and the ſame are hereby veſted in the ſaid corporation for ever; and that it ſhall and may be lawful for the ſaid preſident and directors, at all times for ever after the ſaid canal ſhall be made navigable, to demand and receive ———

X. *And be it enacted*, That in caſe of refuſal or neglect to pay the toll at the time of offering to paſs through the ——— and previous to the veſſel's paſſing through the ſame, the collectors of the ſaid tolls may lawfully refuſe paſſage to ſuch veſſel; and if any veſſel ſhall paſs without paying the ſaid toll, then the ſaid collectors may ſeize ſuch veſſel wherever found, and ſell the ſame at auction for ready money, which, ſo far as is neceſſary, ſhall be applied towards paying ſaid toll, and all expences of ſeizure and ſale, and the balance, if any, ſhall be paid to the owner, and the perſon having the direction of ſuch veſſel ſhall be liable for ſuch toll, if the ſame is not paid by the ſale of ſuch veſſel as aforeſaid; provided, that the ſaid proprietors, or a majority of them, holding at leaſt ——— ſhares, ſhall have full power and authority, at any general meeting, to leſſen the ſaid tolls, or any of them, or to determine that any article may paſs free of toll.

XI. *And be it enacted*, That the ſaid canal, and works to be erected thereon in virtue of this act, when completed, ſhall for ever thereafter be eſteemed and taken to be navigable as a public highway, free for the tranſportation of all goods, commodities or produce whatſoever, on payment of the tolls impoſed by this act; and no other toll or tax whatever for the uſe of the water of the ſaid canal, and the works thereon erected, ſhall at any time hereafter be impoſed by all or either of the ſaid ſtates.

XII. *And*, whereas it is neceſſary for the making the ſaid canal, locks and other works, that proviſion ſhould be made for condemning a quantity of land for that purpoſe, *Be it enacted*, That it ſhall and may be lawful for the ſaid preſident and directors, or a majority of them, to agree with the owners of any land through which the ſaid canal is intended to paſs, for the purchaſe thereof, and in caſe of diſagreement, or in caſe the owner thereof ſhall be a feme-covert, under age, non compos, or out of the ſtate, on application to any two juſtices of the county in which ſuch land ſhall lie, the ſaid juſtices ſhall iſſue their warrant, under their hands, to the ſheriff of their county, to ſummon a jury of ——— inhabitants of his county, of property and reputation, not related to the parties, nor in any manner intereſted, to meet on the land to be valued, at a day to be expreſſed in the warrant, not leſs than ten nor more than twenty days thereafter; and the ſheriff, upon receiving the ſaid warrant, ſhall forthwith ſummon the ſaid jury, and when met, ſhall adminiſter an oath, or affirmation, as the caſe may require, to every juryman that ſhall appear, that he will faithfully, juſtly and impartially, value the land, (not exceeding in any caſe the width of ——— feet,) and all damages the owner thereof ſhall ſuſtain by the cutting the canal through the ſaid land, according to the beſt of his ſkill and judgment, and that in ſuch valuation he will not ſpare any perſon for favour or affection, nor any perſon grieve for hatred, malice or ill will; and the inquiſition thereupon taken ſhall be ſigned by the ſheriff, and ſome twelve or more of the jury, and returned by the ſheriff to the clerk of his county, to be by him recorded; and upon every ſuch valuation the jury are hereby directed to deſcribe and aſcertain the bounds of the land by them valued, and their valuation ſhall be concluſive on all perſons, and ſhall be paid by the ſaid preſident and directors to the owner of the land, or his legal repreſentative, before they ſhall take poſſeſſion of ſaid land; and on the payment thereof the ſaid company ſhall be ſeized in fee, of ſaid land, as if conveyed by the owner to them, and their ſucceſſors, in fee, by legal conveyance; provided nevertheleſs, that if any further damage ſhall ariſe to any proprietor of land, in conſequence of opening ſuch canal, or in erecting ſuch works, than had been before conſidered and valued, it ſhall and may be lawful for ſuch proprietor, as often as any ſuch new damage ſhall happen, by application to, and warrant from, any two juſtices of the county where the lands lie, to have ſuch further damage valued by a jury in like manner, and to receive and recover the ſame of the ſaid preſident and directors; but nothing herein ſhall be conſtrued or taken to entitle the proprietor of any ſuch land to recover compenſation for any damages which may happen to any mills, forges, or other works or improvements, which ſhall be begun or erected by ſuch proprietor after ſuch valuation, unleſs the ſame damage is wilfully or maliciouſly done by the ſaid preſident and directors, or by ſome perſon by their authority.

XIII. *And be it enacted*, That the ſaid preſident and directors, or a majority of them, are hereby authoriſed to agree with the proprietors for the purchaſe of a quantity of land, not exceeding one acre, at or near each of the ſaid places of receipt of tolls aforeſaid, for the purpoſe of erecting neceſſary buildings, and in caſe of diſagreement, or any of the diſabilities aforeſaid, or the proprietor being out of the ſtate, then ſuch land may be valued, condemned and paid for as aforeſaid, for the purpoſe aforeſaid, and the ſaid company ſhall, upon payment of the valuation of the ſaid land, be ſeized thereof in fee-ſimple as aforeſaid.

XIV. *And*, whereas ſome of the places through which it may be neceſſary to conduct the ſaid canal may be convenient for erecting mills, forges, or other waterworks, and the perſons, poſſeſſors of ſuch ſituations, may deſign to improve the ſame, and it is the intention of this act not to interfere with private property but for the purpoſe of improving and perfecting the ſaid navigation, *Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the ſaid company, ſhall not be uſed for any purpoſe but navigation, unleſs the conſent of the proprietors of the land through which the ſame ſhall be led, be firſt had; and the ſaid preſident and directors, or a majority of them, are hereby empowered and directed, if it can be conveniently done to anſwer both the purpoſes of navigation and waterworks aforeſaid, to enter into reaſonable agreements with the proprietors of ſuch ſituation, concerning the juſt proportion of the expences of making large canals or cuts, capable of carrying ſuch quantities of water as may be ſufficient for the purpoſes of navigation, and alſo for any ſuch waterworks as aforeſaid.

XV. *And be it enacted*, That it ſhall and may be lawful for every of the ſaid proprietors to transfer his ſhare or ſhares by deed executed before two witneſſes, and regiſtered, after proof of the execution thereof, in the ſaid company's books, and not otherwiſe, except by deviſe, which deviſe ſhall alſo be exhibited to the preſident and directors, and regiſtered in the company's books, before the deviſee or deviſees ſhall be entitled to draw any part of the profits from the ſaid tolls; provided, that no transfer whatſoever ſhall be made, except for one or more whole ſhare or ſhares, and not for part of ſuch ſhares, and that no ſhare ſhall at any time be ſold, conveyed, transferred, or held in truſt for the uſe and benefit or in the name of another, whereby the ſaid preſident and directors, or proprietors, of the ſaid company, or any of them, ſhall or may be challenged or made to anſwer concerning any ſuch truſt, but that every perſon appearing as aforeſaid to be a proprietor ſhall, as to the others of the ſaid company, be to every intent taken abſolutely as ſuch, but as between any truſtee and the perſon for whoſe benefit any truſt ſhall be created, the common remedy may be purſued.

XVI. *And be it enacted*, That if the ſaid capital, and the other aids already granted by this act, ſhall prove inſufficient, it ſhall and may be lawful for the ſaid company, from time to time, to increaſe the ſaid capital, by the addition of ſo many more whole ſhares as ſhall be judged neceſſary by the ſaid proprietors, or a majority of them, holding at leaſt three hundred ſhares, preſent at any general meeting of the ſaid company; and the ſaid preſident and directors, or a majority of them, are hereby empowered and required, after giving at leaſt one month's previous notice thereof in the Maryland, Delaware and Pennſylvania news-papers, to open books, in the before-mentioned places, for receiving and entering ſuch additional ſubſcriptions, in which the proprietors of the ſaid company for the time being ſhall and are hereby declared to have the preference of all others for the firſt thirty days after the ſaid books ſhall be opened as aforeſaid, of taking and ſubſcribing for ſo many whole ſhares as any of them ſhall chooſe; and the ſaid preſident and directors are hereby required to obſerve, in all other reſpects, the ſame rules therein as are by this act preſcribed for receiving and adjuſting the firſt ſubſcriptions, and in like manner to return, under the hands of any four or more of them, an exact liſt of ſuch additional ſubſcribers, with the ſums by them reſpectively ſubſcribed, into the general courts as aforeſaid, to be there recorded; and all proprietors of ſuch additional ſhares ſhall be, and they are hereby declared to be, from thenceforward incorporated into the ſaid company.

XVII. *And be it enacted*, That if the ſtockholders, or the preſident and directors aforeſaid, ſhould neglect or omit, or be by any accident prevented from performing any act or thing on the particular day on which it ſhall be directed by this act to be done and performed, ſuch neglect or omiſſion ſhall not be conſtrued or taken in any manner to deſtroy or invalidate this charter, but the ſaid act may be done at the next convenient day.

XVIII. This act, and every part thereof, to be void and of none effect, unleſs an act ſhall be paſſed by the legiſlature of Delaware upon ſimilar principles.

ANNAPOLIS:
Printed by FREDERICK and SAMUEL GREEN.